

REMARKS

This is in full and timely response to the non-final Office Action dated September 1, 2005. The present Amendment amends claims 1, 6, 11, 17, 22-25, and 30-33 and cancels claims 5, 16, and 33 in order to further clarify a portion of the scope sought to be patented, and otherwise disputes certain findings of fact made in connection with the rejection of the claims. Support for these amendments can be found variously throughout the specification, including, for example, page 57, lines 3-14, Figure 23, and original claims 5, 16, and 39. No new matter has been added. Accordingly, claims 1-4, 6-15, 17-38, and 40-42 are presently pending in the application, each of which is believed to be in condition for allowance. Reexamination and reconsideration in light of the present Amendment and the following remarks are respectfully requested.

Claim to Priority

Acknowledgement of the proper receipt of the certified formal papers filed in connection with Applicant's claim to priority under 35 U.S.C. § 119(a)-(d) is noted with appreciation.

Information Disclosure Statement

It is also noted with appreciation that the Information Disclosure Statements filed on April 20, 2004 and November 2, 2004 have been considered by the Examiner.

Claim Rejections- 35 U.S.C. § 112

In the Action, claims 25 and 33 were rejected under 35 U.S.C. § 112, second paragraph, for alleged indefiniteness. Applicant respectfully traverses this rejection. However, in order to expedite prosecution, claims 25 and 33 have been amended in accordance with the examiner's suggested amendments. Withdrawal of this rejection is therefore courteously solicited.

Claim Rejections- 35 U.S.C. § 103

In the Action, claims 1, 2, 5-7, 8, 9, 11-13, 15, and 16-20 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Silverbrook (WIPO Publication No. WO 02/02330) in view of Murcia et al. (U.S. Patent No. 6,270,187). Claims 22-25, 27, 29, 30-33, 35, 36, 38, 39, and 40 were also rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over

Silverbrook in view of Murcia et al. and further in view of Shinobu (Japanese Publication No. 2002240287). Claims 3, 5, 14, and 16-19 were also rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Silverbrook in view of Murcia et al. and further in view of Ikeda et al. (U.S. Patent No. 6,309,050). These rejections are respectfully traversed. Claims 28 and 37 were also rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Silverbrook in view of Murcia et al. and Shinobu and further in view of Ikeda et al. Claims 10, 21, 41, and 42 were also rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Silverbrook in view of Murcia et al. and further in view of Wen et al. (U.S. Patent No. 6,046,822). Claims 26 and 34 were also rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Silverbrook in view of Murcia et al. and Shinobu (Japanese Publication No. 2002240287) and further in view of Wen et al. These rejections are respectfully traversed.

Claims 1 and 11

Claims 1 and 11 have been amended to include limitations found in original claims 5 and 16. Accordingly, claims 1 and 11 recite, *inter alia*, that the discharging of droplets from a liquid discharging portion near the defective liquid discharging portions is controlled by **changing the number of discharging shots from a liquid discharging portion disposed on one side of the defective liquid discharging portion**. The additional discharging shots obtained from liquid discharging portions near the defective discharging portion correct the defective area by covering a portion of the defective area on the medium with ink (from the larger diameter dots produce by the additional discharging shots). Further, claim 11 recites, *inter alia*, that the image formation on the recording medium is **corrected by** prohibiting the defective liquid discharging portion from discharging and by controlling the discharging of droplets from a liquid discharging portion near the defective liquid discharging portions is controlled by **changing the number of discharging shots from a liquid discharging portion disposed on one side of the defective liquid discharging portion**.

While Silverbrook arguably discloses a printing method wherein a failure to print a dot of ink at a specific location is merely compensated for by adding at least one dot to a location adjacent to or near the defective location, there is no disclosure, hint or suggestion that the defective location is **corrected by changing the number of discharging shots** from the liquid

discharging portion disposed on one side of the defective liquid discharging portion. The difference between compensating for a defective location and correcting the defective location is significant. In Silverbrook, the dots used to compensate for the failed print location are contained only in the area adjacent to the defective area, as evidenced by Figure 3 and Figure 5; **the dots do not extend into the defective print portion** on the recording medium, and therefore, the dots **do not correct** the defective portion. Thus, in Silverbrook the defective portions of the recording medium remain defective even after the compensation dots are placed in the near/adjacent portions.

Further, While Murcia arguably discloses a printing apparatus that is capable of detecting a defective liquid discharging portion and assigning its function to a near/adjacent liquid discharging portion, Murcia does not disclose, teach or even suggest that the discharging of droplets from a liquid discharging portion near the defective liquid discharging portion is controlled by **changing the number of discharging shots from a liquid discharging portion disposed on one side of the defective liquid discharging portion.**

Accordingly, because Silverbrook and Murcia, either alone or in combination, fail to disclose, teach or suggest each and every limitation of claims 1 and 11, a *prima facie* case of obviousness has not been established, and withdrawal of this rejection is respectfully requested. *See, e.g., In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974); *accord.* MPEP 2143.03.

Claims 22-24 and 30-32

Claims 22-24 and 30-32 have been amended to include limitations found in original claims 39. Accordingly, claims 22-24 and 30-32 recite, *inter alia*, that the discharging direction of a discharging portion is **controlled by applying a difference in energy between at least one of the heating elements and at least another one of the heating elements** so as to control the discharging direction of the liquid discharged from the liquid discharging outlet.

While Shinobu arguably discloses how to deflect an ink droplet in a specified direction by driving one or another of multiple heaters, it does not disclose that **a difference in energy is formed between at least one of the heating elements and at least another one of the heating elements** so as to control the discharging direction of the liquid discharged from the liquid discharging outlet.

Accordingly, because Silverbrook, Murcia, and Shinobu, either alone or in combination, fail to disclose, teach or suggest each and every limitation of claims 22-24 and 30-32, a *prima facie* case of obviousness has not been established, and withdrawal of this rejection is respectfully requested. *See, e.g., In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974); *accord*. MPEP 2143.03.

Claims 2-4, 6-10, 12-15, 17-21, 25-29, 33-38, and 40-42

Aside from the novel limitations recited therein, claims 2-4, 6-10, 12-15, and 17-21, being dependent either directly or indirectly upon allowable base claims 1 and 11, are also allowable for at least the reasons set forth above. Withdrawal of the rejection of these claims is therefore courteously solicited. Moreover, aside from the novel limitations recited therein, claims 25-29, 33-38, and 40-42, being dependent either directly or indirectly upon allowable base claims 22-24 and 30-32, are also allowable for at least the reasons set forth above. Withdrawal of the rejection of these claims is therefore courteously solicited.

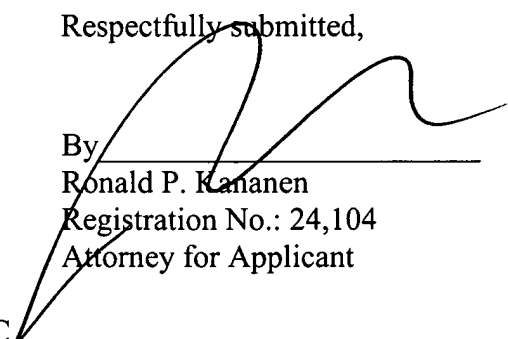
CONCLUSION

For at least the foregoing reasons, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the examiner is respectfully requested to pass this application to issue. If the examiner has any comments or suggestions that could place this application in even better form, the examiner is invited to telephone the undersigned attorney at the below-listed number.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. SON-2826 from which the undersigned is authorized to draw.

Dated: February 22, 2006

Respectfully submitted,

By 

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